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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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10/672,567

09/29/2003

Gersh Korsinsky

8833

7590

10/11/2006

GERSH KORSINSKY  
1236 49th STREET, APARTMENT 4B  
BROOKLYN, NY 11219

EXAMINER

HOGUE, GARY CHAPMAN

ART UNIT

PAPER NUMBER

3611

DATE MAILED: 10/11/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

<b>Office Action Summary</b>	<b>Application No.</b> 10/672,567	<b>Applicant(s)</b> KORSINSKY ET AL.	
	<b>Examiner</b> Gary C. Hoge	<b>Art Unit</b> 3611	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --  
**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

#### Status

- 1) ☒ Responsive to communication(s) filed on 19 July 2006.  
2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.  
3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

#### Disposition of Claims

- 4) ☒ Claim(s) 1-3 is/are pending in the application.  
4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.  
5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.  
6) ☒ Claim(s) 1-3 is/are rejected.  
7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.  
8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

#### Application Papers

- 9) ☒ The specification is objected to by the Examiner.  
10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).  
11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

#### Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).  
a) ☐ All b) ☐ Some \* c) ☐ None of:  
1. ☐ Certified copies of the priority documents have been received.  
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.  
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

#### Attachment(s)

- |  |   |
|--|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892)                     | 4) <input type="checkbox"/> Interview Summary (PTO-413)           |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____                                      |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)          | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date _____  | 6) <input type="checkbox"/> Other: _____                          |

## **DETAILED ACTION**

### ***Specification***

1. 35 U.S.C. 112, first paragraph, requires the specification to be written in "full, clear, concise, and exact terms." The specification is replete with terms which are not clear, concise and exact. The application is not written in proper idiomatic English and is replete with grammatical errors. Because Applicant has asked for examples of what is not understood, consider the first sentence, which reads, "The present invention is related to religious articles, and/or historical articles, and/or memorial articles, and/or gift, etc. And more specifically to antiqueness and coins that qualified as a holy or historical values articles which were used them in religious ceremonies." In this sentence, "gift" should be "gifts." "And" either should not be capitalized, or the clause should be made into a separate sentence. The phrase "qualified as a holy or historical values articles" is not a proper idiomatic English phrase, and it is not understood. Finally, "them" should be deleted. The rest of the specification is equally defective. More importantly, under the heading "DETAILED DESCRIPTIONS OF PREFERRED EMBODIMENTS," a phrase like "designing denomination, produce consummate copies and contributed alteration and other etc." is not a proper English construction, and as such is not understandable. The specification should be revised carefully in order to comply with 35 U.S.C. 112, first paragraph. Applicant should be careful not to introduce any new matter into the disclosure (i.e., matter which is not supported by the disclosure as originally filed).
2. The amendment filed July 19, 2006 is objected to under 35 U.S.C. 132(a) because it introduces new matter into the disclosure. 35 U.S.C. 132(a) states that no amendment shall introduce new matter into the disclosure of the invention. The added material which is not

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supported by the original disclosure includes: In the description of Fig. 1., the originally filed specification mentions nothing about “improving the valuelessness of the original” or “correcting the value damage of the original.” The rest of the new specification should be carefully compared with the original specification to ensure that new matter is not presented.

Applicant is required to cancel the new matter in the reply to this Office Action.

***Claim Rejections - 35 USC § 112***

The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

3. Claims 1-3 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention. The claims appear to be merely a list of the definitions of words. They do not define an invention.

***Claim Rejections - 35 USC § 102***

4. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

5. Claims 1-3, as best understood, are rejected under 35 U.S.C. 102(b) as being anticipated by “1705 Queen Anne Crown”.

“1705 Queen Anne Crown” discloses a copy of a coin in which the denomination (i.e., one crown) is maintained, but the coin is identified as a reproduction (i.e., by featuring the word “copy”).

***Response to Amendment***

6. The amendment to the specification does not comply with 37 CFR § 1.121(b), which states, "Amendments to the specification, other than the claims . . . must be made by adding, deleting or replacing a paragraph, by replacing a section, or by a substitute specification, in the manner specified in this section." Applicant appears to be attempting to file a substitute specification. 37 CFR §1.121(b)(3) states, "The specification, other than the claims, may also be amended by submitting: (i) An instruction to replace the specification; and (ii) A substitute specification in compliance with §§ 1.125(b) and (c)." 37 CFR §1.125(b) and (c) states, "Subject to §1.312, a substitute specification, excluding the claims, may be filed at any time up to payment of the issue fee if it is accompanied by a statement that the substitute specification includes no new matter. A substitute specification submitted under this section must be submitted with markings showing all the changes relative to the immediate prior version of the specification of record. The text of any added subject matter must be shown by underlining the added text. The text of any deleted matter must be shown by strike-through except that double brackets placed before and after the deleted characters may be used to show deletion of five or fewer consecutive characters. The text of any deleted subject matter must be shown by being placed within double brackets if strike-through cannot be easily perceived. An accompanying clean version (without markings) must also be supplied.

***Response to Arguments***

7. Applicant's arguments filed July 19, 2006 have been fully considered but they are not persuasive.

Applicants' arguments with respect to "1705 Queen Anne Crown" are not comprehensible, because they are not written in coherent English. Because Applicant has asked the Examiner to give examples of what is not understood, consider the sentence: "'1705 Queen Anne Crown' discloses a simple copy of the crown only without any make a change in; to modify; to vary in any same degree; to change any some of the elements or details, with destroying the identity of the thing affected or with substituting an entirely new thing by the word 'copy' means identity only, which not subject matters of alteration of the present invention." This is a run-on sentence, and its point is not understood. For example, it is not understood why the phrase "to modify; to vary . . ." etc. is inserted after "without any make a change in" (which itself is not a coherent English phrase). Further, it is not understood what is meant by the phrase "with destroying the identity of the thing affected." Further, the phrase, "with substituting an entirely new thing by the word 'copy' means identity only" is not a coherently English phrase, and its meaning is not understood. Finally, the meaning of the phrase, "which is not subject matters of alteration of the present invention" is not understood.

If Applicants feel that the reference does not anticipate the claims, as set forth above, Applicants should submit, in proper idiomatic English, an argument under the heading "Remarks" pointing out disagreements with the examiner's contentions. Applicant must discuss the reference applied against the claims, explaining specifically how the claims avoid the reference or distinguish from it, that is, pointing out which claim limitations are not disclosed by the reference.

*Conclusion*

8. This action is a **final rejection** and is intended to close the prosecution of this application. Applicant's reply under 37 CFR 1.113 to this action is limited either to an appeal to the Board of Patent Appeals and Interferences or to an amendment complying with the requirements set forth above.

If applicant should desire to appeal any rejection made by the examiner, a Notice of Appeal must be filed within the period for reply identifying the rejected claim or claims appealed. The Notice of Appeal must be accompanied by the required appeal fee of \$250.

If applicant should desire to file an amendment, entry of a proposed amendment after final rejection cannot be made as a matter of right unless it merely cancels claims or complies with a formal requirement made earlier. Amendments touching the merits of the application which otherwise might not be proper may be admitted upon a showing a good and sufficient reasons why they are necessary and why they were not presented earlier.

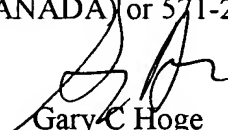
A reply under 37 CFR 1.113 to a final rejection must include the appeal from, or cancellation of, each rejected claim. The filing of an amendment after final rejection, whether or not it is entered, does not stop the running of the statutory period for reply to the final rejection unless the examiner holds the claims to be in condition for allowance. Accordingly, if a Notice of Appeal has not been filed properly within the period for reply, or any extension of this period obtained under either 37 CFR 1.136(a) or (b), the application will become abandoned.

9. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Gary C. Hoge whose telephone number is (571) 272-6645. The examiner can normally be reached on 5-4-9.

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If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Lesley Morris can be reached on (571) 272-6651. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

  
Gary C Hoge  
Primary Examiner  
Art Unit 3611

gch